**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**

**CIVIL APPELLATE JURISDICTION**

**WRIT PETITION NO. 7866 OF 2005**

Vijaykumar Devraj Mehta ... Petitioner

V/s

SBI Commercial & International Bank Ltd.... Respondents

Mr. Piyush Shah for the petitioner.

**CORAM: S.U. KAMDAR, J.**

**DATED: 22ND NOV., 2005**

**P.C.**:

1. The present petition is filed challenging the order dated 25.8.2005 passed by the Debts Recovery Tribunal No.2. Mumbai. Under Sec.19 of the Recovery of Debts Due to Banks and Financial Institutions Act, 1993 an appeal lies to the Debts Recovery Appellate Tribunal. In that view of the matter, there is no question of entertaining the present petition. The only ground on which the petition is sought to be pressed is that in an appeal the petitioners may have deposit of the amount as directed in view right of appeal is conferred under the said Act. It is not possible to entertain the petition merely to circumvent the statutory provision for the

deposit as provided for under Recovery of Debts Due to Banks and Financial Institutions Act, 1993. Petition dismissed accordingly with no order as to costs.

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